

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**OLGA KAISER POWELL, an  
Individual, and LAURIE  
MORENO, as Special  
Administratrix of the Estate of  
Ernest Powell,**

**Plaintiffs,**

**V.**

**TEXVANS, INC., an Idaho  
Corporation, LAND AIR  
EXPRESS, Inc., a Kentucky  
Corporation, VILIAMU  
TAIMANE SOLOVI, an  
Individual, EUINI TALA TALA,  
an Individual, DOES I THROUGH  
XX, and ROE CORPORATIONS, I  
through XX, inclusive,**

**Defendants.**

**8:11CV50**

**ORDER**

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On March 3, 2011, the undersigned entered an order granting a motion to quash subpoena duces tecum filed by Great West Casualty Company (“Great West”). ([Filing 9](#).) Plaintiffs’ brief opposing the motion to quash was untimely and, as a result, the order granting the motion was filed one day prior to Plaintiffs’ submission of an opposing brief. Through their present motion, Plaintiffs request that this court (1) reconsider its March 3, 2011 order granting the motion to quash and (2) grant them an enlargement of time to respond to the motion. Plaintiffs’ motion will be denied.

As explained in the March 3, 2011 order, a subpoena for production or

inspection must issue from the court for the district where the production or inspection is to be made. *See* [Fed. R. Civ. P. 45\(a\)\(2\)\(C\)](#). Plaintiffs' subpoena was issued by this court, but commanded that Great West produce the documents in Las Vegas, Nevada. Therefore, the subpoena does not comply with the federal rules and this court properly granted Great West's motion to quash. Because it is apparent that the subpoena does not comply with the requirements of Rule 45(a)(2)(C), granting Plaintiffs an extension of time to respond to the motion to quash would be futile.

Accordingly,

**IT IS ORDERED** that Plaintiffs' Motion for Reconsideration of the Court's March 3, 2011 Order and Motion for Enlargement of Time to Respond to the Underlying Motion ([filing 13](#)) is denied.

**DATED May 5, 2011.**

**BY THE COURT:**

**S/ F.A. Gossett  
United States Magistrate Judge**